

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA; and,
NINE NAMED FEDERAL EMPLOYEES,

Plaintiff,

CIV. NO. S- 04-1263 FCD GGH PS

vs.

WILLIAM J. BIGGS and BETTY BIGGS,

Defendants.

ORDER

Defendants' motion to dismiss presently is calendared for hearing on March 8, 2007. As the government's motion for summary judgment has already been taken under submission, defendants' motion will be construed, to the extent it contains meaningful legal argument, as an opposition to the motion for summary judgment. Therefore, the court will not entertain oral argument. See E.D. Cal. L.R. 78-230(h).

Accordingly, IT IS ORDERED that the March 8, 2007 hearing on defendants' motion to dismiss, filed February 5, 2007, is vacated.

DATED: 2/28/07

/s/ Gregory G. Hollows

GREGORY G. HOLLOWS
U. S. MAGISTRATE JUDGE

GGH:076:USBiggs1263.vac2.wpd